IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.M. No.30314-M of 2007

Date of Decision: 17.5.2007

Santro w/o Dharambir

....Petitioner.

Versus

State of Haryana.

...Respondent.

Present:- Mr.Bimal Maini,Advocate
for the petitioner.

Mr. Narinder Sura, AAG, Haryana.

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S.S.SARON, J.(ORAL)

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in case registered for the offence under Section 302 read with Section 34 IPC.

Initially application given by the complainant Parsanni Devi was that her son Ravinder died in a road accident. Later on after about 3-4 days she made a statement that her previous statement was made in panic because she had lost her senses. Now she has come to know that in fact her son had been murdered. This was disclosed to Parsanni Devi by Anil Kumar, Sandeep and Ishwar. It is submitted that Sukhbir, the petitioner and the brother of Sukhbir namely Sushil Kumar in connivance with each other had killed Ravinder.

Learned counsel for the petitioner has submitted that no role is attributed to the petitioner. She is absolutely innocent. Besides Sushil Kumar, the brother of Sukhbir has been found innocent during the

investigation of the case.

In response learned counsel for the State has submitted that there is evidence on record to show that the petitioner gave kick blows to the deceased Ravinder. Besides, it is submitted that when the police had gone to arrest the accused on 14.2.2007, they had run away after locking their house. It is further submitted that Sushil Kumar was declared innocent as Anil and Sandeep had made a statement that Sushil had come to the place of occurrence after persons had gathered there.

After giving my thoughtful consideration to the matter, it may appropriately to be noticed that the FIR has been registered for the offence under Sections 302 IPC on account of death of Ravinder. The petitioner is reported to have given kick blows on the person of the deceased. Keeping in view the nature of allegations and the offence that has been attributed no ground for grant of pre-arrest bail is made out.

The criminal miscellaneous is accordingly dismissed.

(S.S.SARON)
JUDGE

May 17,2007
Reema